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**McCARTER & ENGLISH, LLP**

Four Gateway Center  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-4444

Attorneys for Defendant/Third-Party  
Plaintiff Commonwealth Land Title Insurance Company  
DK-4593 (David R. Kott, Esq.)

**WALSH SECURITIES, INC.,**

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT, LTD., a/k/a  
G.J.L. LIMITED, DEK HOMES OF NEW JERSEY,  
INC., OAKWOOD PROPERTIES INC.,  
NATIONAL HOME FUNDING, INC., CAPITAL  
ASSETS PROPERTY MANAGEMENT &  
INVESTMENT CO., INC., CAPITAL ASSETS  
PROPERTY MANAGEMENT, L.L.C., WILLIAM J.  
KANE, GARY GRIESER, ROBERT  
SKOWRENSKI, II, RICHARD CALANNI,  
RICHARD DIBENEDETTO, JAMES R. BROWN,  
THOMAS BRODO, RONALD J. PIERSON,  
STANLEY YACKER, ESQ., MICHAEL ALFIERI,  
ESQ., RICHARD PEPSNY, ESQ., ANTHONY M.  
CICALESE, ESQ., LAWRENCE M. CUZZI,  
ANTHONY D'APOLITO, DAP CONSULTING,  
INC., COMMONWEALTH LAND TITLE  
INSURANCE COMPANY, NATIONS TITLE  
INSURANCE OF NEW YORK INC., FIDELITY  
NATIONAL TITLE INSURANCE COMPANY OF  
NEW YORK, COASTAL TITLE AGENCY,  
DONNA PEPSNY, WEICHERT REALTORS, and  
VECCHIO REALTY, INC. D/B/A MURPHY  
REALTY BETTER HOMES and GARDENS,

Defendants.

and

COMMONWEALTH LAND TITLE INSURANCE  
COMPANY

Defendant/Third-Party Plaintiff,

v.

ROBERT WALSH, JAMES WALSH and  
ELIZABETH ANN DEMOLA,

Third-Party Defendants.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

Civil Action No. 97-cv-3496 (DRD) (MAS)  
Honorable Dickinson R. Debevoise

**ORDER ALLOWING DEPOSITIONS  
TAKEN DURING MEDIATION TO BE  
USED AS IF TAKEN DURING DISCOVERY**

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**THIS MATTER** having been opened to the Court by McCarter & English, LLP, attorneys for defendant/third-party plaintiff Commonwealth Land Title Insurance Company; and it appearing that as part of a mediation in this case certain depositions were taken; and the attorney for defendant/third-party plaintiff Commonwealth Land Title Insurance Company having represented that the attorneys for the plaintiff and for defendants Fidelity National Title Insurance and Nations Title Insurance and for defendant Coastal Title have no objection to the form and entry of the within Order;

IT IS this 16<sup>th</sup> day of March , 2010

**ORDERED** that any and all depositions taken during the mediation process in this case shall be also deemed as taken as part of the discovery in this case and shall be used for any purposes that discovery depositions can be used under the Federal Rules of Civil Procedure, the Federal Rules of Evidence or otherwise can be used in the same fashion as depositions taken during discovery can be used; nothing in the within Order precludes any parties from taking a deposition of any witness who was previously deposed during and as part of the mediation process.



MICHAEL A. SHIPP, U.S.M.J.